

FREQUENTLY ASKED QUESTIONS

Q: Does the Landscape and Open Space Ordinance apply to all of Lexington County?

A: Initially, the more rural portions of the County (Western and Southern) were not included in the Ordinance area. However, the Ordinance was expanded to the entire unincorporated area of Lexington County, effective July 1, 2010. Most municipalities within the County also have their own landscape ordinances and requirements. Please check with your local City/ Town Hall for information regarding their regulations.

Q: Where can I find the Landscape and Open Space Ordinance?

A: The Ordinance may be found at www.lex-co.sc.gov.

Q: If the trees that are a part of my landscape plan do not survive (newly planted or existing) , should they be replaced?

A: Yes. You must replace all dead trees. The Landscape Administrator may determine the appropriate replanting period based on climactic or other planting conditions.

Partial List of Tree Species
Suitable for Commercial Sites in Lexington County

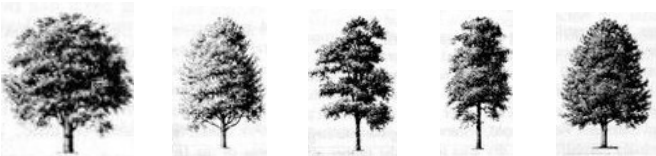
Canopy Trees

Lacebark Elm	Chinese Pistache
Live Oak	Willow Oak
Shumard Oak	River Birch

Understory Trees

Crapemyrtle	Eastern Redbud
Flowering Cherry "Okame"	Savannah Holly
Magnolia "Little Gem"	Yaupon Holly

For more information regarding specific varieties, growth characteristics, and/or planting specifications, please contact the Landscape Administrator or any other local certified ornamental plant professional.



CONTACT INFORMATION

Lexington County Administration Building
212 South Lake Drive, Lexington SC 29072

3rd Floor

Addressing (Planning/GIS).....(803) 785-1454

4th Floor

Building Inspections(803) 785-8130
Floodplain Management.....(803) 785-8121
Landscape Office(803) 785-8121
Subdivision Regulations (Plat Approval).....(803) 785-8121
Zoning Office(803) 785-8121

Lexington County Public Works/Engineering Building
440 Ballpark Road, Lexington, SC 29072

Stormwater Management/Land Disturbance(803) 785-8201
County Right-of-Way Encroachment(803) 785-8201

Army Corps of Engineers

Wetlands Delineation(803) 253-3444

Additional Resources

SC Forestry Commission(803) 896-8800
SC Forestry Association.....(803) 798-4170
Clemson Extension Service, Lexington County
Office(803) 359-8515

Landscape Permit Fees

Landscape Permit
Residential.....\$57 per acre (or portion thereof)
Nonresidential.....\$78 per acre (or portion)
Landscape Variance Request\$281
Landscape Appeal.....\$169



LEXINGTON COUNTY



UNDERSTANDING THE
LANDSCAPE AND OPEN
SPACE ORDINANCE

COUNTY OF LEXINGTON
COMMUNITY DEVELOPMENT DEPARTMENT
212 South Lake Drive, Suite 401
Lexington, SC 29072

Phone: (803) 785-8121
Fax: (803) 785-8188

www.lex-co.sc.gov

LANDSCAPE and OPEN SPACE ORDINANCE

What is the Landscape and Open Space Ordinance?

The Lexington County Landscape Ordinance was enacted in January 2001 and was amended to become the Landscape and Open Space Ordinance in January 2010. The purpose of the Ordinance is to protect and enhance the character, appearance, and image of Lexington County through attractive and creative landscape design and open space; to ensure the land-use compatibility through the use of vegetation and open space as transition areas and screening; and to preserve scenic, canopied tree corridors.

The Landscape and Open Space Ordinance applies to all residential attached activities, mobile home parks, all residential subdivisions, and all non-residential development in the designated portions of the unincorporated areas of Lexington County except as otherwise stated.

COMPONENTS OF THE LANDSCAPE and OPEN SPACE ORDINANCE

There are 8 main components of the Landscape and Open Space Ordinance:

- Clearcutting
- Land Use Compatibility
- Parking Lots
- Service Areas/Utilities
- Building Design
- Road Corridors
- Scenic Corridor Protection
- Open Space Requirements

Clearcutting

Forest management activities, including timber harvesting, as defined under SC State Law 48-23-205, are exempt from the Landscape and Open Space Ordinance. Although failure to do so is not considered a violation of the Ordinance, a simple notification should be made to the Landscape Administrator prior to conducting a forest management clearcut. Development permits may be denied for a period of three years following a timber harvest if there was a willful intent to exercise the forest management exemption to circumvent any provision of the Landscape and Open Space Ordinance. Timber harvesting associated with the development or the conversion of forest land to non-forest land must be reviewed and approved in accordance with the Ordinance prior to a timber harvest.

Land Use Compatibility

When buffer and screening are required by the Zoning Ordinance, the plan must show the location of the buffer and screening, the location and identification of canopy trees 8 inches D.B.H. (diameter breast height) and larger, and the location and identification of understory trees 4 inches D.B.H. and larger that are within the buffer area.

Walls, fences, and/or berms required by the Zoning Ordinance for screening must have vegetation in front of at least 50% of the screening structure. Walls, fences, or berms not required by Zoning, but visible from the road and less than 500 feet from the road right-of-way must have vegetation in front of at least 50% of the structure. Vegetation must be placed on the protected property line side of the required screening, leaving sufficient space for access and maintenance of the vegetation.

Parking Lots

The Ordinance requires that there be at least one canopy tree per eight parking spaces. No parking space can be greater than 50 feet from the trunk of a tree. A minimum of 160 square feet planting area is required per tree. Where overhead utilities or space restricts the use of canopy trees, understory trees may be required at a ratio of 2 understory trees per required canopy tree. Vehicle storage areas and car sales lots are required to have trees around the perimeter of the storage area or sales lot.

Service Areas/Utilities

Service areas and equipment/structures related to garbage collection, utilities, and communication must be screened from public rights-of-way and adjoining property through the use of landscaping, berming, and/or fencing or a combination thereof. If fencing or a wall is used for screening, at least 50% of the structure must be softened with vegetation. Stormwater management structures, such as detention ponds, are also required to meet certain provisions of the Ordinance.

Building Design

Large unadorned buildings visible from and within 500 feet of a road right-of-way must be landscaped.

Road Corridors

The Ordinance requires that street frontage trees shall average 1 canopy tree per 40 feet of frontage or portion thereof. Where overhead utilities or space restricts the use of canopy trees, understory trees may be required at a ratio of 2 understory trees per required canopy tree. Street frontage trees are required to be setback 10 feet, but not greater than 20 feet, from the future road right - of - way. There are more intensive street frontage tree planting requirements along designated scenic corridors.

Scenic Corridor Protection

Scenic corridor provisions are established in order to preserve and protect the natural vistas of certain thoroughfares and byways within Lexington County. While development along these corridors shall be designed with the principal purpose of accommodating and preserving existing tree canopies, the intent of the Ordinance is not to prohibit extensive development along these corridors, but to retain the unique character during the process.

Three categories of scenic corridor designations have been established with different preservation requirements assigned to each category. The

requirements for Scenic Corridor 1 are more restrictive while the requirements for Scenic Corridor 2 are less restrictive and Scenic Corridor 3 is the least restrictive.

Road sections assigned scenic corridor designations also have special sign, entranceway, and other additional Zoning Ordinance requirements.

Open Space Requirements

Open space requirements are established in order to preserve and enhance existing vistas; improve appearance; offset the environmental impact of large expanses of impervious surfaces; improve ground water recharge; and promote adequate light, air, and open space for the residents of and visitors to Lexington County.

The purpose of this component of the Ordinance is to provide guidelines for the establishment of suitable and usable open space within proposed residential subdivisions with at least ten lots or with lot sizes less than 2 acres, and also to address open spaces left by abandoned golf course activities.

LANDSCAPE SITE PLANS

Developers are required to submit 3 copies of the landscape site plan prior to the start of any development or clearing of the property.

The landscape site plan must show:

- Total acreage of property.
- Area/acreage to be developed.
- Location and identification of trophy trees as defined in the Appendix of the Landscape and Open Space Ordinance.
- Location of proposed and existing structures, driveways, and parking areas.
- Proposed location of service areas (i.e., garbage collection stations, utilities, and detention/retention ponds).
- Buffer and/or screening as required by the Zoning Ordinance.
- Clearing plan for activities along scenic corridors shall include the location of protected trees and/or natural forested areas within the designated scenic corridor.
- Open space as required by the Landscape and Open Space Ordinance.

Trees must be marked and protected as shown on the landscape plans.

Important Notes: A landscape plan must be approved and the appropriate fee received before a building permit can be issued.

The vegetation as shown on the approved landscape plan must be installed, inspected, and approved prior to a final building inspection and the issuance of a Certificate of Occupancy.